Maryland Constitutional Law. By ALFRED S. NILES. (Baltimore: Hepbron and Haydon. 1915. Pp. 588.)

This work deserves notice not only because it is well done, but because it is a study in a much neglected field of American constitutional jurisprudence. The author, who is a lecturer in the University of Maryland Law School, has prepared the volume for the use of his students, but that it will be found of value to lawyers and to students of American constitutional law there can be no question. The arrangement adopted has been that of taking up *seriatum* the clauses of the constitution and commenting upon them in the light of the judicial and legislative interpretation which they have received. This mode of presentation has been selected, the author tells us, not because it is the logical one, but because his own experience as a teacher has led him to believe that thus the constitution is better fixed in the mind of the ordinary student. "Such an arrangement visualizes the document, while a philosophical treatment is apt to lead to vagueness and uncertainty." With this statement the reviewer is inclined to agree where the attempt is not made to advance further into the subject than is possible in the time that can reasonably be given to it in the curriculum of the ordinary law school. An additional feature, admirable from the pedagogical standpoint, is the brief presentation at the close of each chapter of a considerable number of illustrative cases, the statements to which they apply being indicated by asterisks in the text. The book contains a table of cases, and an appendix in which are given the texts of the various constitutions and amendments thereto, under which Maryland has lived. It is to be hoped that this book will serve as an example for similar works dealing with the public law of other States of the Union.

W. W. W.

Law and its Administration. By HARLAN F. STONE. (New York: Columbia University Press. 1915. Pp. 232.)

This volume, composed of lectures delivered upon the Hewitt foundation at Columbia University, by the Dean of the Law School, furnishes to the layman an admirable introduction to the study of law and its administration in the United States. The style is untechnical, and the mode of presentation simple and clear. The nature and functions of law, the relation of law and morality, and fundamental legal conceptions provide the topics for the first four chapters, the remaining four being

devoted to procedure, bench and bar, and law reform. While pointing out various evils in present legal conditions in the United States, Dean Stone would be described as a moderate reformer. To a not inconsiderable extent he ascribes the unsatisfactory conditions which he finds to the character of training for the bar which prevails in this country. "The impartial student of our legal system is compelled reluctantly to admit that, taking into account the entire history of the American bar, there has been a deterioration in our bar both in its personnel, its corporate mode, and, consequently, in the public influence wielded by it" (p. 165). "The result of the methods of admission to the bar which have generally obtained throughout the United States is that they have set a low standard of character and attainment for the entire bar." Dean Stone is not disposed to grant that justice should be administered from the bench in accordance with the conceptions of social justice which the judges may happen to entertain. This is a legislative rather than a judicial criterion:—the distinction between legislation and adjudication being effectively stated. The view is expressed that the use of injunctions has been but seldom abused, and that at the present time there are few States where persons charged with crime escape conviction because of technicalities of procedure. The unsatisfactory condition of civil procedure in New York under the present code is, however, emphasized, as contrasted with the working of the short practice act of Massachusetts supplemented by rules of court; and the recently adopted practice act of New Jersey is commended as an ideal form of procedure. The objections to the "recall of decisions" is so succinctly stated as to deserve quotation. "All that would be ascertained by any given recall would be that the statute determined by the court to be unconstitutional was by the recall determined to be constitutional. Whether constitutional in whole or in part, what reason should be assigned for the recall, what judicial principle established, or whether the principle should be extended to other classes of cases, are questions which must remain unanswered by the recall. In other words, it is an attempt to establish a constitutional rule for judicial guidance by popular vote, without announcing what the rule is either in form or substance. We thus amend out constitution without indicating the scope of the amendment and leave it to the courts and legislature to guess what class of legislative acts may be lawfully enacted."

W. W. W.